

# **COMPREHENSIVE DEVELOPMENT PLAN CITY OF HORSESHOE BAY, TEXAS**

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This document is the Comprehensive Development Plan for the City of Horseshoe Bay. The plan will be implemented in the future by the City Council adopting Ordinances that are referenced. The planning process for our City is important and is expected to be ongoing. Substantial public involvement is needed.

# **COMPREHENSIVE DEVELOPMENT PLAN CITY OF HORSESHOE BAY, TEXAS**

## **SECTION ONE: INTRODUCTION**

The purpose of the Comprehensive Development Plan (“CDP”) for the City of Horseshoe Bay, Texas (“City”) is to provide for the public safety and welfare of the community by planning for future development to manage its effects on the City’s residents and property owners.

The process utilized to effectuate the CDP encourages input from parties with interests in the City. Though officially adopted by the City Council in its current form, the CDP and the planning process should be an ongoing project to insure that it continues to represent the community’s preferences and to incorporate changes as they occur within the City’s boundaries and its Extra Territorial Jurisdiction (“ETJ”).

The CDP reflects the goals of the City’s governing body that it follows in administering to the City’s needs in order to:

- Provide as safe an environment as possible
- Enhance the value of the property in the City
- Preserve the lifestyle of the City’s inhabitants
- Facilitate the utilization of undeveloped property in the City and its ETJ
- Administer the City in a manner that minimizes intrusion on its citizens
- Provide the highest level of services to the City’s inhabitants
- Operate the City with maximum efficiency at the lowest possible cost
- Encourage public input
- Administer rules and regulations in a fair and judicial manner

The CDP and the Ordinances, Rules and Regulations referred to, either already adopted and appearing in the Appendices, a part of the CDP, or to be adopted in the future and added as additional appendices to the CDP, will provide guidelines for future development in the City and its ETJ. The City Council will also develop rules and procedures for property owners to seek exceptions and variances to insure that the development rules do not result in unreasonable or undue hardship on individual property owners.

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## **SECTION TWO: IDENTIFICATION OF ZONES**

The City designates the following zones for purposes of planning for future development. The zones are shown on Map 1, Appendix 1 to the CDP.

Zone 1	Applehead Island Subdivision
Zone 2	Applehead Subdivision
Zone 3	Horseshoe Bay West Subdivision
Zone 4	Horseshoe Bay, North and South Subdivision
Zone 5	Bay Country Subdivision
Zone 6	Pecan Creek Subdivision
Zone 7	Peninsula Subdivision
Zone 8	Matern Island Subdivision
Zone 9	Escondido Subdivision
Zone 10	Siena Creek Subdivision
Zone 11	Trails Subdivision

Each of the above zones consists primarily of subdivisions with boundaries defined in plats filed in either or both of the deed records of Llano and Burnet Counties as of September 20, 2005. Each subdivision has enforceable deed restrictions and restrictive covenants. In each subdivision, their respective Property Owners' Association or the original developer currently owns the roads. The deed restrictions and restrictive covenants pertaining to each subdivision provide for, among other things, architectural standards and size and use of lots.

Zone 1, Applehead Island Subdivision, Zone 2, Applehead Subdivision, Zone 3, Horseshoe Bay West Subdivision, Zone 4, Horseshoe Bay, North and South Subdivisions, Zone 5, Bay Country Subdivision, and Zone 10, Siena Creek Subdivision, contain multi-family residential housing, subject to height restrictions. Other than these multi-family use areas and the commercial use allowed in Zones 3, 4, 5, 6, 9, 10 and 11, the land use for all of the subdivisions is limited to single-family residential use and, in some instances, recreational uses and governmental/utility/institutional uses.

To maintain the integrity of the City and protect the lifestyles and property values of the community, it is vital to maintain the same historical pattern of land use and architectural standards that are in place now in these subdivisions.

Zone 13	Caprock Zone
Zone 14	HSB Boulevard Corridor Zone
Zone 15	Airport Zone

Properties located in Zones 13, 14 and 15 are currently owned by the Horseshoe Bay Resort and its related entities, generally referred to as the "Resort". These properties are not subject to the restrictive covenants of any existing subdivision. The Caprock Zone is an unimproved property near the Caprock Clubhouse, and a multi-family project is being considered for this property. The HSB Boulevard Corridor Zone contains Club

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and Resort facilities, the Marriott Hotel, a marina and other improvements and substantial property that is unimproved or may be redeveloped. Zone 13, Caprock Zone, and Zone 14, HSB Boulevard Corridor Zone, are currently subject to a Moratorium. The Airport Zone is a mixture of unimproved and improved aviation-related structures, including an airport.

### **Zone 17 Centex Zone**

These properties were recently acquired from the Resort and are not subject to the restrictive covenants of any existing subdivision. Mid-rise multi-family residences are currently under construction on a portion of these properties.

### **Zone 19 ETJ Area - Platted subdivisions**

The City's ETJ includes several platted subdivisions. These include Oak Ridge, the Hills, Deerhaven, Blue Lake Estates and Quail Ridge. The subdivisions of Deerhaven and Blue Lake Estates are partially in the City's ETJ and partially in the ETJ of the City of Sunrise Beach Village. The City presently has contractual arrangements with residents of these areas to provide some combination of water, sewer or fire protection service.

So long as the present use characteristics continue, the City has no present plans to exercise its jurisdictional rights in these areas, nor has it any plans to pursue annexation in the foreseeable future.

### **Zone 20 ETJ Area – Non-platted**

The property in Zone 20 is located between the City and Highway 71, south of Highway 71 and up one mile from the City limits and west of the City's boundaries in the vicinity of the City's wastewater treatment plant and generally to the ETJ of the City of Sunrise Beach Village. The properties in Zone 20 are projected by the City to be annexed in the future.

All information contained in the March 21, 2006 Comprehensive Development Plan related to Zone 12, Hurd Properties, Zone 16, Amenities Land, and Zone 18, Non-Subdivision Tracts was removed from the Comprehensive Development Plan in the amendment of June 20, 2006.

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## **SECTION THREE: GROWTH AND CONSEQUENCES**

Construction activity in existing subdivisions is expected to continue at least at its present, if not at an accelerated, pace. Annual residential housing starts have ranged between 85-105 per year for the last five years. There are over 6,000 lots in the City available for future building, almost all with full utility service. Exposure of the City to Marriott guests, the “Baby Boomer retirement effect”, and momentum from newer subdivisions such as the Trails, Escondido and Siena Creek will ensure single-family residential growth.

Mid-rise multi-family projects in the Centex Zone and zero lot line condominiums being developed in Siena Creek will promote a new, higher density type of development in the City. Plans for similar projects are being discussed.

New commercial development should be expected and planned for. The City has received inquiries about potential new projects both in the City and in its ETJ with both high-density residential and commercial use. Retail development will provide convenience to City inhabitants, but the location, appearance and traffic impact issues will need to be evaluated.

Convenient health care is also important to the City and should follow the City’s residential growth. Again, location, access and traffic impact issues will need to be resolved.

Thanks to the foresight of the City’s predecessor, The Lake LBJ Municipal Utility District, steps have been taken to assure an adequate water supply to meet demands generated by the City’s growth, though allocation of such supplies among competing uses could become an issue in the future. A long-range capital improvement plan for utilities has been developed (Appendix 2). A review of the plan in light of expected population growth in the City is now appropriate.

It is reasonable to assume that the City will experience a significant increase in its tax base attributable to future development, which will provide the necessary revenues without an increased tax rate to fund necessary expansion of utility services, police and fire protection and administrative support. Anticipation of the increase in demand for City services must generate plans to provide expanded services as needed.

The impact of future development on the property values and lifestyles of the existing inhabitants and property owners in its vicinity must be planned for and monitored to accomplish the goals of City Council.

Attention must be given to traffic and transportation and the impact of future development. Access to and through the City’s residential areas is somewhat limited. If not managed properly the build-out of the City could result in traffic congestion with possible public safety ramifications.

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Among others, the City, the Resort, and the various POA's have provided the community with substantial open space, parks and hiking trails. However, the City should be alert for opportunities to expand such amenities that would benefit all property owners and guests. Consideration should also be given to City owned additional recreational facilities and encouraging others to build such facilities for public use.

The City recognizes its obligations to the owners of the Resort properties, to existing homeowners, and the owners of the 6,000 undeveloped lots who have expectations for a certain lifestyle in Horseshoe Bay. The City should plan for the density of development in its residential areas and for the location of retail and commercial areas so that all City property owners realize their expectations.

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## **SECTION FOUR: CITY GOVERNANCE AND FUTURE DEVELOPMENT**

To insure that the City's future development does not negatively impact existing residents and property owners, and to promote the public safety and welfare, it is imperative that the following City activities are conducted effectively.

1. Platting: The City must establish efficient procedures for approving platting in all zones that provides for public input. City Ordinances for plat approvals for property under the City's jurisdiction have been adopted and appear in Appendix 3. These Ordinances can be made more efficient when the City has staff that can approve matters that are now being reviewed by County officials. Before City Council approval of plat changes, notice must be published and posted to assure the opportunity for affected property owners to provide input, and the best method to accomplish this should be regularly reviewed.
2. Building Permits: The City requires building permits and has established and is enforcing building code compliance through inspections and prescribed standards for construction conduct in all zones for all residential, commercial and retail areas. Appendix 4 contains the Ordinances adopted by the City pertaining to building codes, standards, conduct and permits for development applicable in the City.
3. Agreed Development Plans: The City is presently undertaking discussions with representatives of the Resort as to the future development of property in Zones 13, 14 and 15 owned by the Resort. Zones 13 and 14 are currently subject to a Moratorium. It is anticipated that discussions will lead to agreements covering use of property, architectural and building standards of construction, transportation to and through the zones, utility requirements, cost, and infrastructure reimbursement to the City.

As development plans for these zones are prepared in acceptable form, they will be made available to the community with input encouraged prior to final approval by the City.

Completed agreements will be attached as part of Appendix 5.

For planning purposes, it is assumed that development in Zone 14, HSB Boulevard Corridor Zone, will be a mixed use of club and resort facilities such as pools, restaurants, meeting rooms and spa, mid-rise multi-family residential buildings, light retail, and both parking lots and structures. It is assumed that development in Zone 13, Caprock Zone, will be multi-family residential with a mixture of low to mid-rise structures.

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Zone 17, Centex, is presently planned to contain ten mid-rise multi-family buildings with amenities such as pools and a marina. Aspects of the plan have been approved by Llano County and much of the plan has been communicated to the City. Construction has begun on several of the buildings. It is anticipated that the present plans will be compiled into a formal development plan and submitted to the City. Significant modifications to the plan will require approval of the City.

4. Zoning: Zoning Ordinances should be formally adopted consistent with the guidelines set out in the CDP, and when approved will become Appendix 5. The Zoning Ordinances should be designed to alleviate or avoid potentially negative results from future development.
  - Density of population should be managed to preserve the expectation of lifestyle of current inhabitants and lot owners. Preserving areas for single-family residences only with lot and house size minimums is essential.
  - Retail and commercial development should not conflict with residential lifestyles. Because of the City's transportation routes and traffic patterns, such activity should generally be restricted to property adjacent to Highway 2147 and Highway 71 and in and around Resort facilities.
  - Because of the City's limited road system, parking cannot occur on subdivision roads and any development must contain adequate on site parking to avoid congestion and public safety risk.

Applying these general guidelines to each zone provides guidance for what should be included in Zoning Ordinances. Most zones have restrictive covenants in place that should continue to be enforced. It is recommended that initial zoning for Zones 1-11 be directed to complement and implement existing restrictions to aid in enforcement.

Zones 1 - 11: The zoning ordinance may require that lot use be limited to the use designated as of September 20, 2005. Minimum lot size and size of improvements and minimum parking spaces for multi-family residential units could be prescribed with input from residents in the respective zone. Any variance or change would require City Council approval. Any perceived weakness in their covenants should be communicated to the City so that they may be addressed in the zoning ordinance for these zones.

Extensive analysis could be conducted in one or more of these zones to determine if use pattern changes should be considered in light of the number of multi-family properties allowed under the present use designations. This analysis and evaluation would need substantial input from property owners.

The City may develop regulations related to new commercial construction, and any new projects in this area must comply with all ordinances and regulations prior to the commencement of any construction activities.



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Zones 13 and 14 Resort Properties: The properties in these zones should be considered for zoning consistent with the agreed plans.

Zone 17 Centex: The property owned by Centex should be zoned multi-family with requirements for parking, traffic flow and control, fire safety, and reimbursement to the City for costs and infrastructure.

5. Allocation of Water and Sewer Service: The ability to purchase water supplies from the Lower Colorado River Authority (LCRA), the City's water and sewer facilities in place, and the expanded capacity that will be available upon completion of the new water treatment plant put the City in a position to service existing customers, including the service contracts with several surrounding communities, and to support currently forecasted new development.

The City will plan to expand water and wastewater facilities as needed to meet anticipated growth within the limitations of its ability to fund such expansions while maintaining favorable tax and utility rates. To this end, the City has established the following priority for meeting demands.

- a. Existing customers now receiving service;
- b. Potential residential and commercial customers that build on lots already platted in Zones 1-11;
- c. Future development in Zones 13-15;
- d. New subdivisions in the City's ETJ that the City agrees to annex.

It is the City's policy not to provide water or wastewater services to new customers outside the City limits until such areas are annexed.

6. Subdivision Ordinance: A subdivision ordinance applicable to properties in the City's ETJ will be approved and added to the CDP as Appendix 7. The ordinance will establish minimum requirements for new subdivisions to assure that development is consistent with the characteristics of the City's existing subdivisions and, if annexed into the City, will not require extraordinary expense to provide the same level of service that is in the rest of the City.

Until the subdivision ordinance has received final approval, developers are invited to submit proposals to the City for development of their property for the City's consideration. The City, with opportunity for input from its citizens will consider approving plans for developing subdivisions to be annexed into the City.

7. Annexation Plan: Though the City can control the subdivision of property in its ETJ, it cannot control the use to which property in its ETJ is put. To prevent unacceptable use of property in its ETJ and surrounding areas, the City needs the ability to annex property. Though without authority to unilaterally annex property now, legislative action or conversion to Home Rule Status could provide that authority in the future. To prepare for such an eventuality, the City may adopt an

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annexation plan. Appendix 8 will contain the Ordinances adopted by the City pertaining to annexation matters.

8. Marinas: The development of marinas can have an impact not only on surrounding properties, but also on other waterfront areas in the surrounding vicinity. The potential for noise, parking, trailer storage and environmental concerns suggest that a permitting process should be established for new marinas within the City's boundaries and its ETJ. Appendix 9 will contain the Ordinances adopted by the City pertaining to marina permitting.

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## **SECTION FIVE: REVIEW OF CITY ACTION**

To assure that City action reflects its community's will, input from property owners prior to adoption of the CDP and any other plans or ordinances referred to shall occur.

After adopting the CDP and related ordinances, procedures for property owners seeking a variance or exception shall be immediately put in place. Such procedures will be before the City Council. A Planning and Zoning Commission may be formed to assist the City Council with zoning matters.

The CDP may be amended from time to time upon vote by the City Council at a meeting where there has been proper and adequate notice that an amendment will be considered and as otherwise required by state law including, but not limited to, Local Government Code section 213.003.

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## **APPENDICES**

Appendix 1	Map 1
Appendix 2	MUD Long Range Capital Improvement Plan
Appendix 3	Platting Ordinances
Appendix 4	Building Permit Ordinances
Appendix 5	Agreed Development Plans
Appendix 6	Zoning Ordinance
Appendix 7	Subdivision Ordinance
Appendix 8	Annexation Plan
Appendix 9	Marina Ordinance